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## PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

920476-904943

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on November 14, 2005

Signature

Minnie Wilson

Typed or printed name

Minnie Wilson

Application Number

09/981,444

Filed

October 17, 2002

First Named Inventor

Graham Taylor

Art Unit

2145

Examiner

Azizul Q. Choudhury

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

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attorney or agent of record.

Registration number 26,935

☐

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

William M. Lee, Jr.

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Typed or printed name

312-214-4800

Telephone number

November 14, 2005

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

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\*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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920476-904943



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: : Graham Taylor  
SERIAL NO: : 09/981,444  
FILED: : October 17, 2002  
FOR: : ADAPTIVE SOFTWARE  
INTERFACE  
EXAMINER: : Azizul Q. Choudhury  
GROUP ART UNIT: : 2145

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Name of person signing Minnie Wilson  
Signature Minnie Wilson

**SUCCINCT STATEMENT IN SUPPORT OF PRE-APPEAL BRIEF**  
**REQUEST FOR REVIEW**

Honorable Director of  
Patents and Trademarks  
P.O. Box 1450,  
Alexandria VA 22313-1450

Dear Sir:

As required under the Pilot Program initiated July 12, 2005, following is the Applicants' statement in support of the Appeal Brief Conference for this application:

The Examiner has rejected all pending claims under 35 USC §103(e) as being anticipated by Sun's Jini Lookup Service Specifications. To prove anticipation under 35 USC §102 a prior art reference must disclose each and every feature of the claimed invention whether explicitly or inherently (see *Hazani V. International Trade Comm'n*, 126 F.3d 1473, 1477, 44 USPQ2d 1358, 1361 (FED.Cir.1997)).

The present invention is directed to adaptive software interfaces as its title suggests. In other words it is directed to a software interface (ie software allowing independent entities to act on or communicate with each other) which is adaptive (ie is generated to or adapted to the particular requirements of the entities it interfaces between). In particular, the present invention is directed to generating such a software interface on the basis of an analysis of the extent to which the interface capabilities of the entities are compatible. Different entities to be interfaced may be compatible (or incompatible, from another point of view) to different extents. The present invention enables a software interface to be generated which takes into account the extent of compatibility. This is achieved by generating, collating and analyzing semantic information about the entities to be interfaced and using that to generate the software interface.

The prior art Jini Lookup Service Specification is not related to generating adaptive software interfaces but to a particular service in a distributed computing platform known as Jini. Members of a Jini system are federated in order to share access to various services. A Jini system is not a set of clients and servers, or users and programs, or even programs and files. Instead, a Jini system consists of services that can be collected together for the performance of a particular task. Central to the Jini platform is the Jini Lookup Service which enables members to lookup (ie to identify and locate) suitable services for the performance of a particular task. The Jini Lookup service is the “services Yellow pages” of the Jini platform.

Generally, it can be seen that the Jini Lookup Service specification is not directly related to the present invention. More specifically, the Jini Lookup Service Specification fails to disclose at least the following two features of the invention as claimed in claim 1.

The Examiner has kindly identified the specific passages in the prior art reference that he believes are pertinent to the claim features. However, the Examiner’s explanation of why these disclose the claimed features is not persuasive. Appellants list the claim features, the Examiner’s argument (verbatim) and respond as follows:

- 1) Regarding the claimed feature “analyzing collated semantic information elements to establish the extent to which

the interface capabilities of at least two network entities are compatible”, the Examiner argues in the Advisory Action that:

“The lookup service [of Jini] maps interfaces indicating the functionality provided by a service to sets of objects that implement the service. It also states that descriptive entries associated with a service allow a more fine-grained selection of services based on properties understandable to people. Hence mapping is performed to provide the appropriate service and descriptive entries can be assessed to better select a service.”

However, Appellants point out that there is no disclosure of analysis to establish the extent to which the interface capabilities of two network entities are compatible. In the Jini art, there is inherently a member requiring a particular service, a number of services listed by the lookup service, and the lookup service itself. However, none of these are analyzed to determine compatibility of their interfaces. A listed service is merely identified on the basis of a description of the functionality required by a member. There is no teaching whatsoever about interfaces of members or services – ie how a member might actually act on or communicate with a service. Moreover, there is no teaching whatsoever about the compatibility or otherwise of the interfaces of services or members. The Jini art is simply not concerned with interface compatibility.

2) Regarding the claimed feature “generating the adaptive software interface in accordance with the established compatibility”, the Examiner argues in the Advisory Action that:

“The Jini specification teaches that the lookup service maps interfaces ... that implement the service (lines 1-7). It is inherent that since a service is being mapped to and is being searched for, that when it is mapped it will be generated.”

However, Appellants disagree. The Jini lookup service lists existing and available services in the Jini system, not services that have not even been generated yet. That would be pointless. Furthermore, even if the Examiner were correct, which is denied, the Examiner seems to have overlooked that the claim feature requires that what is generated is a software interface not a service. There is no teaching whatsoever of generating software interfaces in the Jini art which is simply not concerned with enabling software interfaces to be generated which take into account the extent of compatibility between network entities.

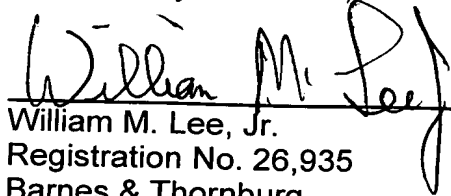
In short, the Jini art is irrelevant.

Similar comments apply to the remaining claims. Hence, Appellants believe that the Examiner has failed to substantiate the rejection under 35 USC §102(e) and that the application should now be allowed.

It is therefore submitted that the Examiner's rejections of the claims of this application are untenable, and were this application to proceed to the Board of Appeals and Interferences, the Examiner would clearly be reversed. The results of this review are therefore awaited.

November 11, 2005

Respectfully submitted,



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